Pope Woodard, Trustees -

Petitioners

\* DEPUTY ZONING COMMISSIONER \* OF BALTIMORE COUNTY

\* Case No. 92-299-SPH

Stewart J. Greenebaum and \* \* \* \* \* \* \* \* \* \* \*

## FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing in which the Petitioners request a special hearing to approve the 8th amended partial development plan for Greene Tree, Section Six, in accordance with Petitioner's Exhibits 1 and 2.

The Petitioners, Stewart J. Greenebaum and Pope Woodard, were represented by Benjamin Bronstein, Esquire. Also appearing on behalf of the Petitioners was David S. Thaler, Professional Engineer. There were no Profestants.

Testimony indicated that the subject property, known as Section Six of Greene Tree, consists of 7.024 acres, more or less, split zoned D.R. 10.5 and D.R. 3.5 and was originally proposed for development with 60 condominiums. Petitioners filed the instant Petition to request approval of their addition of six more condominium units in accordance with that depicted on Petitioner's Exhibits 1 and 2. Testimony indicated that the required parking and open space areas have been revised in order to accommodate the additional units. Petitioners testified the relief requested will not result in any detriment to the health, safety or general welfare of the surrounding community.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would re-

January 15, 1992

ZONING DESCRIPTION

Hooks Lane, a right-of-way 60 feet wide and Greenc Tree

Road, a right-of-way 60 feet wide, thence running the

1) North 85°30'05" West 14.62 feet to a point, thence

2) 681.00 feet by a curve to the right having a radius of

640.00 feet and a chord bearing North 08°02'13" West 649.32

3) 168.75 feet by a curve to the left having a radius of

700.00 feet and a chord bearing North 15° 32'23" East 168.34

5) 159.35 feet by a curve to the left having a radius of

428.00 feet and a chord bearing North 81° 28'08" East 158.43

8) 229.87 feet by a curve to the left having a radius of

243.00 feet and a chord bearing South 54°41'00" East 221.39

11) 217.22 feet by a curve to the left having a radius of

2014.67 feet and a chord bearing South 49°24'22" West

4) North 49° 58' 52" East 13.21 feet, thence

6) South 71°27'50" East 14.43 feet, thence

7) South 27°35'00" East 50.31 feet, thence

9) South 08° 13'00" West 67.24 feet, thence

10) South 43° 18'58" East 226.09 feet, thence

12) South 46° 19'02" West 261.42 feet, thence

following courses and distances:

feet, thence

feet, thence

feet, thence

feet, thence

217.12 feet, thence

Beginning at a point at the northeast intersection of

sult if the relief requested in the special hearing were not granted. has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the special hearing should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 💥 day of April, 1992 that the Petition for Special Hearing to approve an 8th amended partial development plan for Greene Tree, Section Six, in accordance with Petitioner's Exhibits 1 and 2, be and is hereby GRANTED, subject to the following restrictions:

> 1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

TMK:bjs

Deputy Zoning Commissioner for Baltimore County

13) 158.46 feet by a curve to the right having a radius of 7370.00 feet and a chord bearing South 46° 55'01" West 158.46 feet to the point of beginning as recorded in Deed Liber 7795 folio 193.

Being all that tract of land as shown on a plat of subdivision entitled "2nd Amended Plat of Section Six, Greene Tree" as recorded in Baltimore County Plat Book No. 63 folio 62, containing 7.024 acres of land, more or less, and located in the 3rd Election District.

92-299-SPH

## CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published weeks, the first publication appearing on 2120, 19 42

Suite 113 Courthouse 400 Washington Avenue Towson, MD 21204

April 22, 1992

Baltimore Count of a crimical Zoning Comme Tenet Office of Planning and Zeming

(

Benjamin Bronstein, Esquire 29 W. Susquehanna Avenue, Suite 205 Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING NW/S Hooks Lane, 30' NE of the c/l of Greene Tree Road (Greene Tree, Section Six) 3rd Election District - 3rd Councilmanic District Stewart J. Greenebaum and Pope Woodard, Trustees - Petitioners Case No. 92-299-SPH

Dear Mr. Bronstein:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

> TIMOTHY M. KOTROCO Deputy Zoning Commissioner for Baltimore County

Very truly yours,

(410) 887-4386

cc: People's Counsel

92-299-504

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ocation of Sign	114.5	
Poad		
emarks:		
( )	1. 9,072	Date of return March 4, 1992

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve \_\_\_\_\_

THE 8TH AMENDED PARTIAL DEVELOPMENT PLAN - GREENE TREE SECTION 6

\_\_\_\_\_\_ Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:	Legal Owner(s):	
(Type or Print Name)	Stewart J. Greenebaum, Trustee (Type or Print Name)	
Signature	Signature Cricical Signature	
	Pope Woodard, Trustee (Type or Print Name)	
Address	13percedural	
City and State	Signature	
Attorney for Petitioner: Benjamin Bronstein		
Evans, George and Bronstein	1829 Reisterstown Road 484-8400	
(Type or Frint Name)	Address Phone No.	
By: July 2 Promise Signature	Baltimore, Maryland 21208 City and State	
29 West Susquehanna Ave., Suite 205	Name, address and phone number of legal owner, con- tract purchaser or representative to be contacted	
Towson, Maryland 21204	D.S. Thaler & Associates	
City and State	Name	
Attorney's Telephone No.:	7115 Ambassador Road, Balto., MD 21207 Address Phone No.	944-3647

ORDERED By The Zoning Commissioner of Baltimore County, this \_\_\_\_\_ day ..., 19...., that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_ o'clock

Zoning Commissioner of Baltimore County.

ORDER RECEIVED FOR FILING

"DUPLICATE" CERTIFICATE OF PUBLICATION

oublished in OWINGS MILLS TIMES, a weekly newspaper published successive weeks, the first publication appearing on \_\_ 20,1992

OWINGS MILLS TIMES,

\$ 70.33

# 314

# 314

Account: R-001-6150

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Cashier Validation

J. J. W. S. S.

Account: R 001-6150

Please Make Checks Payable To: Baltimore County 1997 199

The state of the s

Zoning Plans Advisory Committe Coments Date: March 9, 1992

imcompleteness.

2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the peition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or

Attorneys and/or engineers who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the loss of filing fee.

Zoning Coordinator

WCR:jw

Page 2

Enclosures

cc: Mr. Stewart J. Greenebaum 1829 Reisterstown Road Baltimore, MD 21208

Baltimore County Government Office of Zoning Administration and Development Management Office of Planning & Zoning

111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

DATE: 2.28.92

1829 Reisterstown Road Baltimore, Maryland 21208

CASE MUBBER: 92-299-SPH MM/S Hooks Lane, 30' HE of c/l Greene Treet Road 3rd Election District - 3rd Councilmanic Petitioner(s): Stewart J. Greenebaum, Trustee , et al

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return small to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland 21204. It should have your case number noted thereon and be made payable to Baltimore County, Maryland. In order to prevent delay of the issuance of proper credit and/or your Order, immediate attention to this matter is suggested.

cc: Evans, George and Bronstein

Baltimore County Government Office of Zoning Administration and Development Management Office of Planning & Zoning

111 West Chesapeake Avenue Towson, MD 2120+

(410) 887-3353

Your petition has been received and accepted for filing this 4th day of February, 1992.

Zoning Plans Advisory Committee

Petitioner: Stewart J. Geenebaum Petitioner's Attorney: Benjamin Bronstein

Printed on Recycled Paper

Baltimore County Government Office of Zoning Administration and Development Management Office of Planning & Zoning

111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Haryland 21204 as follows:

CASE HUMBER: 92-299-SPH MM/S Hooks Lane, 30' ME of c/1 Greene Treet Road 3rd Election District - 3rd Councilmenic Petitioner(s): Stewart J. Greeneboum, Trustee , et al HEARING: FRIDAY, MARCH 20, 1992 at 11:00 a.m.

Special Hearing to approve the 8th amended Partial Development Plan of Green Tree, Section 6.

cc: Stewart J. Greenebaum, et al Evans, George & Bronstein D. S. Thaler & Associates

11:14 72

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

Arnold Jablon, Director Zoning Administration and

3-70 92-299 SPH

DATE: March 4, 1992 Development Management

Gary L. Kerns, Chief Comprehensive and Community Planning Office of Planning and Zoning

SUBJECT: Greenebaum & Woodward Trustees, Item No. 314

In reference to the applicant's request, the staff offers the following comments:

This office feels that obtaining signatures from property owners living within 300 ft. of the amendment would not have been overly burdensome. In spite of that fact, however, it appears as though all planning issues, e.g. setbacks, parking and design elements, have been adequately addressed. In addition, the development will not be overcrowded as a result of the increased density. Therefore, the Office of Planning and Zoning supports the Petitioner's request provided that comments are received by the Zoning Office from the Greene Tree Home Owner Association regarding their position in this manner.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

Report prepared by:

GLK/JL:rdn ITEM314/TXTROZ

**Baltimore County Government** Office of Zoning Administration and Development Management Office of Planning & Zoning

111 West Chesapeake Avenue Towson, MD 2120+

March 9, 1992

Benjamin Bronstein, Esquire Evans. George and Bronstein 29 W. Susquehanna Avenue Towson, MD 21204

> RE: Item No. 314, Case No. 92-299-SPH Petitioner: Stewart J. Greenebaum Petition for Speical Hearing

(410) 887-3353

Dear Mr. Bronstein:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a review by Zoning personnel.

Baltimore County Government Fire Department

700 East Joppa Road Suite 901 Towson, MD 21204-5500

(301) 887-4500

FEBRUARY 12, 1992

Arnold Jablon Cirector Zoning Administration and Development Management Paltimore County Office Euilding Towson, MD 21204

RE: Property Owner: STEWART J. GREENEBAUM, TRUSTEE AND POPE WOODWARD, TRUSTEE

NW/S HOOKS LANE Location:

Zoning Agenda: FEBRUARY 18, 1992 Item No.: 314

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

1. Fire hydrants for the referenced property are required and shall be located at intervals of 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

Fire Prevention Bureau Special Inspection Division

JP/KEK





